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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | Filing Date | July 11, 2001 | |
| | | First Named Inventor | Thomas J. Maginot | |
| | | Group Art Unit Number | 3738 | |
| | | Examiner Name | Paul B. Prebilic | |
| Total Number of Pages in This Submission | | 3 | Attorney Docket Number | 22220-06167 |

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| SIGNATURE OF ATTORNEY OR AGENT | | | |
| Signature: | <i>A. C. Smith</i> | | |
| Attorney/Reg. No.: | Albert C. Smith, Reg. No. 20,355 | Dated: | 5/21/03 |

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R/Rejection

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT: Thomas J. Magnot

APPLICATION NO.: 09/903,831

FILING DATE: July 11, 2001

TITLE: Bypass Grafting Method

EXAMINER: Paul B. Prebilic

GROUP ART UNIT: 3738

ATTY. DKT. NO.: 22220-06167

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By: Albert C. Smith

Albert C. Smith, Reg. No.: 20,355

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RESTRICTION ELECTION

Sir:

Responsive to the Official Action dated February 25, 2003 received in the patent application identified above, applicant respectfully traverses the restriction requirement, at least as to the groupings of claims, but hereby provisionally elects to prosecute in this application the subject matter of the Invention II now defined

by claims 63-166. Specifically, applicant submits that the invention defined by the method claims 47-62 may properly be classified and examined with the provisionally-elected claims 63-166, and such reclassification of the claims 47-62 for examination with the subject matter of Invention II is hereby requested.

The remaining, non-elected claims are being retained in this application, unexamined, pending allowance of a generic or linking claim such as, for example, claim 62 or claim 67.

Reconsideration of the restriction among provisionally non-elected Invention I and the provisionally-elected Invention II, and favorable action are solicited.

Respectfully submitted,
THOMAS J. MAGINOT

Dated: 5/21/03

By: A-C-Smith

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